

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)	Case No.: 20-22974 -CMB
)	
ED'S BEANS, INC. d/b/a)	
CRAZY MOCHA and)	
KIVA HAN COFFEE,)	
)	Chapter 11
Debtor.)	
)	Related to Doc. No.: 1
ED'S BEANS, INC. d/b/a)	
CRAZY MOCHA and)	
KIVA HAN COFFEE)	
)	
Movant,)	
)	
v.)	
)	
NO RESPONDENTS.)	
)	

AMENDMENT COVER SHEET

Amendment(s) to the following petition, list(s), schedule(s), or statement(s) are transmitted herewith:

 X Voluntary Petition - *Specify reason for amendment*: Check the box confirming that the Debtor is a Small Business Debtor for purposes of proceeding under Subchapter V.

Official Form 6 Schedules (Itemization of Changes Must Be Specified)

- _____ Summary of Schedules
- _____ Schedule A - Real Property
- _____ Schedule B - Personal Property
- _____ Schedule C - Property Claimed as Exempt
- _____ Schedule D - Creditors holding Secured Claims
- _____ Check one:
- _____ Creditor(s) added
- _____ NO creditor(s) added
- _____ Creditor(s) deleted
- _____ Schedule E - Creditors Holding Unsecured Priority Claims
- _____ Check one:
- _____ Creditor(s) added
- _____ NO creditor(s) added
- _____ Creditor(s) deleted
- _____ Schedule F - Creditors Holding Unsecured Nonpriority Claims
- _____ Check one:
- _____ Creditor(s) added
- _____ NO creditor(s) added
- _____ Creditor(s) deleted
- _____ Schedule G - Executory Contracts and Unexpired Leases
- _____ Check one:
- _____ Creditor(s) added
- _____ NO creditor(s) added
- _____ Creditor(s) deleted
- _____ Schedule H - Codebtors
- _____ Schedule I - Current Income of Individual Debtor(s)

Schedule J - Current Expenditures of Individual Debtor(s)

Statement of Financial Affairs

Chapter 7 Individual Debtor's Statement of Intention

Chapter 11 List of Equity Security Holders

Chapter 11 List of Creditors Holding 20 Largest Unsecured Claims

Disclosure of Compensation of Attorney for Debtor

Other: _____

NOTICE OF AMENDMENT(S) TO AFFECTED PARTIES

Pursuant to Fed.R.Bankr.P. 1009(a) and Local Bankruptcy Rule 1009-1, I certify that notice of the filing of the amendment(s) checked above has been given this date to the U.S. Trustee, the trustee in this case, and to entities affected by the amendment as follows:

LEECH TISHMAN FUSCALDO & LAMPL, LLC

Date: October 20, 2020

By: /s/ Crystal H. Thornton-Illar

Crystal H. Thornton-Illar

PA I.D. No. 93003

cThornton-illar@leechtishman.com

525 William Penn Place, 28th Floor

Pittsburgh, Pennsylvania 15219

(412) 261-1600

Proposed Counsel for the Debtor

Note: An amended matrix of creditors added by the amendment must be submitted on disk with the amendment. Attorneys filing electronically on the Case Management/Electronic Case Filing System may add creditors to the case electronically.

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF PENNSYLVANIA

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Ed's Beans, Inc.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

DBA Kiva Han Coffee
DBA Crazy Mocha

3. Debtor's federal Employer Identification Number (EIN) 25-1725857

4. Debtor's address Principal place of business

711 Thomson Park Drive
Cranberry Twp, PA 16066

Number, Street, City, State & ZIP Code

Butler
County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor **Ed's Beans, Inc.**
Name

Case number (if known)

7. Describe debtor's business A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
 See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing? *Check one:*

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. *Check all that apply:*

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years? ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	When	Case number
District	When	Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☒ No.
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship
District	Case number, if known

Debtor **Ed's Beans, Inc.**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☐ 1-49

☒ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☒ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Ed's Beans, Inc.
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures

WARNING – Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 1562, 1341, 1519, and 3571.

Declaration and signature
authorized
representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 19, 2020
MM/DD/YYYY

X /s/ Ed Wethli

Signature of authorized representative of debtor

Ed Wethli

Printed name

Title President

Signature of attorney

X /s/ Crystal H. Thornton-Har

Signature of attorney for debtor

Date October 19, 2020

MM/DD/YYYY

Crystal H. Thornton-Har 93003
Printed name

Leech Tishman Fuscaldo & Lampi, LLC
Firm name

625 William Penn Place
28th Floor
Pittsburgh, PA 15219

Number, Street, City, State & ZIP Code

Contact phone 412-251-1600

Email address cthomon-har@leechtishman.com

93003 PA

Bar number and State

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v.)	
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NO RESPONDENTS.)	
)	

CERTIFICATE OF SERVICE OF AMENDED VOLUNTARY PETITION

I, Crystal H. Thornton-Illar, hereby certify, that on the 20th day of October, 2020 a true and correct copy of the Amended Voluntary Petition was served upon the following:

(via electronic service):

Jodi Hause
Office of the United States Trustee
Liberty Center
Suite 970
1001 Liberty Avenue
Pittsburgh, PA 15222
jodi.hause@usdoj.gov

William Krieger
Gleason and Associates
One Gateway Center, Suite 525
420 Ft. Duquesne Blvd.
Pittsburgh, PA 15222
wkrieger@gleasonexperts.com

LEECH TISHMAN FUSCALDO & LAMPL, LLC

Date: October 20, 2020

By: /s/ Crystal H. Thornton-Illar

Crystal H. Thornton-Illar

PA I.D. No. 93003

cthorton-illar@leechtishman.com

525 William Penn Place, 28th Floor

Pittsburgh, Pennsylvania 15219

(412) 261-1600

Proposed Counsel for the Debtor